

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

SAUL CRUZ,

Plaintiff,

v.

Case No.: 2:20-cv-392-FtM-38MRM

GULF COAST CELL PHONES, LLC
and SHAHZAD A FATMI,

Defendants.

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OPINION AND ORDER¹

Before the Court are the parties' Notice of Settlement ([Doc. 12](#)) and Stipulation of Dismissal with Prejudice ([Doc. 13](#)). Saul Cruz sued Gulf Coast Cell Phones, LLC and Shahzad A. Fatmi under the Fair Labor Standards Act (FLSA) for unpaid overtime. ([Doc. 1](#)). The parties now inform the Court that they have resolved Cruz's claim without compromise and with attorney fees and costs negotiated and paid separately. Therefore, there is no need for the Court to review and approve the settlement for fairness. See *Lynn's Food Stores, Inc. v. U.S. Dep't of Labor*, 679 F.2d 1350, 1352 (11th Cir. 1982); see also *Mackenzie v. Kindred Hosps. East, L.L.C.*, 276 F. Supp. 2d 1211, 1217 (M.D. Fla. 2003). Federal Rule of Civil Procedure 41(a)(1)(A)(ii) allows a plaintiff to dismiss an action voluntarily by filing a stipulation signed by all parties who have appeared, as Cruz has done here.


Accordingly, it is now

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ORDERED:

1. The case is **DISMISSED with prejudice**.
2. The Clerk of the Court is **DIRECTED** to enter judgment accordingly, terminate all pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 15th day of July, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record